

**FILED**

April 28, 2003

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF: )

Administrative Action

DARREN JAMES, D.P.M.

ORDER DENYING

TO PRACTICE PODIATRY IN THE  
STATE OF NEW JERSEY )

LICENSURE REINSTATEMENT

This matter was opened to the **New Jersey State** Board of Medical Examiners upon a written **application** by the respondent, Darren James, D.P.M., seeking reinstatement of his license to **practice** podiatry in this State. Dr. James' podiatry **license was revoked** in May, 2000 effective April 26, 2000, following his **convictions** in both federal and state **courts** of **Medicaid** fraud and **insurance** fraud. The Order of Revocation provided that Dr. James **could** reapply for licensure after a minimum period of two years. **Among** other conditions set forth in the Order was the provision **that** no period of time would be counted **towards** the minimum period of revocation **during** which Dr. James practiced podiatry in any **other** state or jurisdiction.

In addition, the Order of Revocation provided that Dr. **James was** to complete community service under a Board approved plan in a non-podiatric, non-medical setting. Dr. James was also ordered to

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pay both civil penalties and costs **to** the **New Jersey State Board of Medical Examiners**.

The Board **delegated** the task of hearing Dr. James' application for reinstatement **to** a Preliminary Evaluation Committee ("PEC") which was held on March 26, 2003. Dr. **James appeared** without counsel at that PEC and gave testimony under oath.

Dr. James testified that he had paid all costs and penalties due and owing to the Board. A **review** of the Board's records indicates **that** those costs have **been paid**. Dr. James also successfully completed an ethics **course** as required by the **Board's** Order of Revocation. With regard to community **service**, Dr. James claimed that he had completed community service through **work that he** had done at the Monmouth County Boys Club. However, Dr. James could not present any proofs that **he** had **received** prior permission from the Board to use this as his community service **and**, in fact, the records of the New Jersey State Board of Medical Examiners **reveal** no **such** approval or any records **pertaining** to such alleged community **service**.

Dr. James was also questioned about his employment activities since the revocation of his license in May, 2000. Dr. James testified that he had taught as an adjunct professor at both the College of **New Rochelle** and Medgar Evers College **during** his period of revocation in New Jersey. Dr. James also admitted through both his testimony and his presentation of his curriculum vitae that he

had continued to practice as a podiatrist in **the** State of New York at regular intervals since at least January, 2001, through his practice called "Action Foot Care." That practice has continued to the **present** time.

Dr. James was questioned by the Committee as to why **he** had never revealed to the Board **that** he **was** licensed in both New York and Pennsylvania prior **to** the time of his revocation. Dr. James claimed that he thought his lawyer had informed the Board of this. Dr. James was **presented** with his **biennial** renewal with the New Jersey State Board of Medical Examiners for the **period** of November 1, 1999 to October 31, 2001. In that document Dr. James **was** asked to list any and all **states** in which he had been granted a professional **license** and he answered the question "N/A." Dr. James admitted that this information on the **biennial** renewal was false.

Dr. James testified that he had truthfully answered to the New York licensing authorities that **he** had been convicted of Medicaid fraud and **that** **he** had lost his license in **New** Jersey. Nevertheless, New York authorities have apparently not taken any action **against** his New York license. Dr. James testified that in Pennsylvania his license is indefinitely suspended until such time as he is licensed again in New Jersey.

Dr. James was also questioned about an assertion which he made in his letter seeking reinstatement of licensure, which stated his belief that he was being treated unfairly by the New Jersey State

Board of Medical Examiners because members of the Board knew individuals against whom Dr. James cooperated with federal authorities. Upon **questioning**, Dr. James admitted that he had made these **allegations** out of **anger** and had no proofs of the allegations.

Dr. **James** was **requested** to supply to the Board copies of any documents attesting to his assertion that he had taken continuing podiatric education during the period of **time** since his license was revoked. Further, Dr. James **was** asked to supply certain documents regarding the sale of his podiatry practice **in** the State of New Jersey and copies of the records regarding patients **whom** he had treated in New York since the **time** of his revocation. Dr. James supplied draft **document** concerning the sale of his podiatric practice and copies of certain patient records which were **reviewed** by the Board at the Board's meeting of April 9, 2003. Dr. **James** **did** not supply any proofs of continuing podiatric education.

The full Board received the recommendation of the Committee and deliberated the issue of Dr. James' application for reinstatement at the Board's meeting of April 9, 2003. The Board determined that Dr. James' application for reinstatement should be **denied** at this time, especially based upon the following reasons:

1. 'By his own admission, Dr. James has practiced podiatry in the **State** of New York since at least January, 2001; therefore, the Board finds that for purposes of calculating a minimum period of

**time** before application for reinstatement, Dr. James has served only 8 months of the mandatory 24 month **period** of disqualification. In short, his application for **reinstatement** is premature.

2. Dr. James did not truthfully answer the biennial renewal question **pertaining** to his **licensure** in other states in the November, 1999 **biennial** renewal.

3. Whatever community service Dr. James did perform **was** not **approved** by the Board of Medical Examiners either before or after he **undertook** this **work** as required by the Order of Revocation.

4. Dr. James has made **assertions** against Board members in his application for reinstatement which, **by** his own **admission**, were made **without** any proofs.

5. Dr. James has failed to adequately maintain his **skills** through continuing podiatric education. A review of the New **York** patient records supplied to the Board, **reveals** that he may be continuing **to practice** in the State of New **York** in a substandard fashion.

Based upon the foregoing,

IT IS ON THIS <sup>20<sup>th</sup></sup> DAY OF **APRIL** OF 2003,

ORDERED THAT:

1. The application for reinstatement of licensure as a podiatrist in the State of New Jersey of respondent, Darren James, D.P.M., is denied at this time.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By: William V. Harrer MD BLD  
William V. Harrer, MD., B.L.D.  
President